

FILED
CHARLOTTE, NC

JUL 16 2024

US DISTRICT COURT
WESTERN DISTRICT OF NC

UNITED STATES DISTRICT COURT

for the

North Carolina District of Western

Charlotte Division

Case No.

1:24-cv-191-FDW

(to be filled in by the Clerk's Office)

Solomon D. Norwood (Pro se)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Burke County Sheriff's Department Detention Center, Jail, et al; Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Solomon DePrince Norwood
 All other names by which
 you have been known: Abdullah Raheem
 ID Number opus: 0662919
 Current Institution Tabor Correctional Institution
 Address 4600 Swamp Fox Highway West
Tabor City NC 28963
City State Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name Burke County Sheriff's Department Detention Center-Jail
 Job or Title (*if known*) Facility (Place of confinement)
 Shield Number N/A
 Employer N/A (Burke County)
 Address 130 Government Drive
Morganton NC 28655
City State Zip Code
☒ Individual capacity ☒ Official capacity (Both)

Defendant No. 2

Name Huffman CMale
 Job or Title (*if known*) Captain
 Shield Number N/A
 Employer Burke County Sheriff's Department Detention Center
 Address 130 Government Drive
Morganton NC 28655
City State Zip Code
☒ Individual capacity ☒ Official capacity (Both)

Defendant No. 3

Name

Lail (male)

Job or Title (if known)

Sergeant

Shield Number

N/A

Employer

Burke County Sheriff's Department Detention Center

Address

130 Government DriveMorganton
CityNC
State28655
Zip Code☒ Individual capacity☒ Official capacity (BOTH)

Defendant No. 4

Name

Beaver (female)

Job or Title (if known)

Sergeant

Shield Number

N/A

Employer

Burke County Sheriff's Department Detention Center

Address

130 Government DriveMorganton
CityNC
State28655
Zip Code☒ Individual capacity☒ Official capacity (BOTH)

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐ Federal officials (a *Bivens* claim)

☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

B.I.U.I.P.A., Due Process, Cruel and unusual punishment, excessive force,

Negligence (general & comparative), and intentional infliction of emotional distress, etc, etc

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

[See attachments marked Pgs 1-7 including Exhibits/evidences marked exhibit 1 for more details]

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☒ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

[See attachments marked pgs 1-7 including Exhibits/evidences marked exhibit 1 for more details]

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

[See attachment marked pgs 1-7 including Exhibits/evidences marked exhibit 1 for more details]

C. What date and approximate time did the events giving rise to your claim(s) occur?

[See attachments marked pgs 1-7 including exhibits/evidences marked Exhibit 1 for more details]

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

[See attachments marked Pgs 1-7 including exhibits/evidences marked Exhibit 1 for more details]

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

See Additional Pgs 1-7 for more details

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Expediently denounce the jails devotion towards one religion; to accomodate ALL muslims with services rendered upon religious obligations; punitive damages; Pain and suffering; monetary damages; Policy and procedural changes; guidelines and the establishment of services on throughout each week at a minimum of two times per week and Fridays especially for prayer; removal, demotion and/or firing of all staff mentioned with the sheriff losing/reprimanded; ANY other RELIEF deemed acceptable that are JUST and necessarily PROPER; With compensatory damages up to \$300,000 USD and cost of court with attorney fees; et al;

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

- A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Burke County Sheriff's Department Detention Center - Jail

- B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

- C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes

☐ No

☐ Do not know

If yes, which claim(s)?

See pg 3 of 11 II. Basis for Jurisdiction Part B of this packet for more details

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☐ No

- E. If you did file a grievance:

1. Where did you file the grievance?

Burke County Sheriff's Department Detention Center - Jail

2. What did you claim in your grievance?

Multiple deprivations of religious traditions, favoring of one and damages of such treatment

3. What was the result, if any?

Continuance of deprivations being enforced against my religious beliefs.

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

Writing letters to higher administrators and my loved ones mailing such off to the complaint Resolution Board in Raleigh, NC. (See attachments pgs 1-7 for details)

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

N/A

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

See attachments and exhibits for details

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

See attachments and exhibits for details

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The “three strikes rule” bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has “on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this “three strikes rule”?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

☐ Yes

☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: July/8/2024

Signature of Plaintiff

Printed Name of Plaintiff

Prison Identification #

Prison Address

Solomon D. Norwood / Abdullah Raheem
Solomon D. Norwood / Abdul Mah Raheem
0662919
4600 Swamp Fox Highway West
Tabor City NC 28463
City State Zip Code

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

United States District Court
for the North Carolina Western
Division

File #: (N/A)

- 42 U.S.C. § 1983 civil rights suit -

Solomon Norwood (opus #: 0662919) "prose"
(Petitioner)

v.

Burke County Sheriff Department Detention Center Jail; Captain Huffman; et al;
[Respondent(s)]

* COMPLAINT *

* NEW FILING *

- civil rights violation(s) -

DATE: 07/08/2024

PURPOSE(S)

Petitioner seeks to be acknowledge throughout these claims herein and hereinafter as an indigent person, lay person of law and a convicted and sentence incarcerated person; He is currently within the official custody of this state government agency hereby as the North Carolina Department of Adult Corrections' Prison(s) "NCDAC" in which this state has facilities; He is held within and His current Facility is as follows:

Solomon Norwood

opus #: 0662919

Tabor City Corr. Inst.-4885

4600 Swamp Fox Hwy WEST

Tabor City, NC 28463

-close custody-

Statement

Petitioner brings forth such actions due to His deprivation of United States and North Carolina Constitutional Rights with He freely expressing and practicing His religion while He was being housed and/or detained within County jail at:

Burke County Sheriff's Department Detention Center

130 Government Drive

Morganton, NC 28655

Petitioner advances such violations with descriptive complaints within this civil suit of 42 USC § 1983 federal claim(s)



1
2 5. Robins (Male)

3 Deputy Corporal

4 130 Government Drive

5 Morganton, NC 28655

6
7 Capacity of: Individual $\frac{3}{4}$ Official (Both)

8
9 6. Bass (Male)

10 Deputy / Sailor

11 130 Government Drive

12 Morganton, NC 28655

13
14 Capacity of: Individual $\frac{3}{4}$ Official (Both)

15
16 7. John / Jane Doe

17 Elected "Sheriff" of Burke County

18 130 Government Drive

19 Morganton, NC 28655

20
21 Capacity of: Individual $\frac{3}{4}$ Official (Both)

22

23

24

25

26



1 8] Chatham (female)
2 Deputy/ Sailor
3 130 Government Drive
4 Morganton, NC 28655

6 Capacity of: Individual & Official (Both)



History

Petitioner states that upon being detained on His criminal charges at the facility listed on pages 2 of 7, on lines 20 through 24; He complained to Corporal Robins about the lack and/or non-existence practice of other religious beliefs and that the facility favors Christianity over ALL others; He further sought relief(s) to participate within Islamic Services and/or the sacred obligations of Jum'ah on Friday(s) with Ms. Chatham simultaneously with Corporal Robins; Petitioner states that Corporal Robins threatened to place Him in a different housing unit similar to solitary confinement upon Him wanting to practice His religious beliefs; Petitioner filed His official complaint via grievance system in which was filed through Sergeant Stephens, whom He hand delivered such documents to; He resided at the facility from: "~~June 2022~~" through "April 2023" (~~open~~ window); Petitioner states that He further discovered that He was NOT allowed to pray or study with other detainees in such regards to His religious beliefs per Sergeants Lail & Beaver Petitioner witnessed on several occasions that Deputy Jailor Bass assisted with the outside guests with enjoining open sermons and prayer times within the housing unit; He states that on such occasions Sergeant Lail and/or Beaver was informed that the Petitioner did NOT want to partake in such activities and sought to temporarily be assigned to another area until the conclusion of such services held by the Christian guests;

1 Petitioner acknowledges that He made oral, verbal and numerous written
2 complaints while detained as an official disgruntled Muslim; He states
3 that He even went further by allowing His maternal parent mail
4 His complaints to the Executive Branch of North Carolina;
5 He states that during the Islamic Holy Month of Ramadan, He was
6 informed in person by Captain Huffman that if the Petitioner
7 was going to participate in His religious celebrations of the sacred
8 month of Ramadan; that He and other participants were to
9 save their trays due to the facility NOT going to accommodate
10 the regulations of the Islamic standards;
11 Petitioner also confirms that during Thanksgiving and Christmas
12 times the facility served and partook with decorations of such
13 holiday(s) with special religious services enforced upon the mass
14 population; He filed a grievance and He wrote the Sheriff in
15 which He received NOT one response to His claims;
16 He acknowledges that participating or attendingⁱⁿ ANY other religious
17 belief(s) weakens His belief system and in fact constitutes
18 as religious innovation; His actions upon seeking being removed
19 to congregate, pray and study within a private setting with other
20 Muslims were negligently ignored and staff at the facility
21 threaten and enforced Him to take or participate with
22 Christian Services, NEVER offering or affording towards Him
23 temporary resolutions;
24 He was forced by Sergeant(s), Captains and comparative
25 actions of the Sheriff and ~~to~~ include Deputy Jailors with
26 Facility staff to participate with Christianity Services

1 He states that that facility should be stopped and NOT be able
2 to enforce or allow Christianity to be a dominant and forced
3 religious outcome in which denying ALL other religious beliefs;
4 Petitioner has suffered mentally and physically without being
5 spiritually able to receive His opportunities of getting His religious
6 blessings and self centeredness within His religious faith;
7 He declares that such imposed and forced standards occurred
8 similarly within two different cases He has read and
9 one similar towards His He has attached as His attachment
10 marked as * Exhibit 1 * [Firewalker • Fields v. Lee]
11

12 Petitioner states that being forced to participate within another religious setting
13 and NEVER being able to gain the support from the Sheriff or other staff to
14 His Islamic faith kept Him imbalanced mentally questioning His faith and also
15 simultaneously enduring ALL NON provoked castigations from these staff
16 became an overbearance; He was forbidden to pray, order Islamic materials
17 or eat proper nutrients in regards to His Islamic traditions by Captain Huffman
18 proceeding to have the final order with His appeal supposedly being submitted
19 to the Sheriff's office in which NO reply/response were granted/denied;
20 Petitioner seeks to have His claim(s) accepted EXPEDITIOUSLY herein after;
21 He acknowledges that He has in fact believed in the Islamic faith and its
22 traditions Since the age of 15-18 years old; Petitioner follows the
23 religious overall concept as an Ahlus Sunnah Wa Jama'ah Salafiyah
24 Salifee Muslim; While being able to NOT eat foods of the Halaal
25 standards also violates such duties and allow the Christians to eat
26 meal accommodating other religions especially during holidays (pagan);